UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/50/346
11 August 1995

ORIGINAL: ENGLISH

Fiftieth session
Item 109 of the provisional agenda*

ADVANCEMENT OF WOMEN

Convention on the Elimination of All Forms of Discrimination against Women

Report of the Secretary-General

CONTENTS

		Paragraphs	Page
I.	INTRODUCTION	1 - 4	2
II.	STATUS OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN	5 - 10	3

Annexes

I.	Draft resolution 8/1	4
II.	List of States that have signed, ratified, acceded or succeeded to the Convention as at 1 August 1995	6
III.	Reservations made upon ratification from 1 August 1994 to 1 August 1995	12
IV.	Reformulations of reservations entered into accession to the Convention from 1 August 1994 to 1 August 1995	13
V.	Objections made from 1 August 1994 to 1 August 1995	14
VI.	Withdrawals of reservations and declarations from 1 August 1994 to 1 August 1995	15

* A/50/150.

95-23839 (E) 010995 050995

/...

I. INTRODUCTION

1. By its resolution 34/180 of 18 December 1979, the General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against Women. In its subsequent resolutions 35/140, 36/131, 37/64, 38/109, 39/130, 40/39, 41/108, 42/60, 42/62, 43/100, 44/73, 45/124, 47/94 and 49/164, the Assembly urged States that had not yet ratified or acceded to the Convention to do so as soon as possible and requested the Secretary-General to report on the status of the Convention. In its resolution 45/124 of 14 December 1990, the Assembly requested the Secretary-General to submit this report annually. In accordance with those resolutions, the Secretary-General has submitted at each session of the Assembly a report on the status of the Convention (A/35/428, A/36/295 and Add.1, A/37/349 and Add.1, A/38/378, A/39/486, A/40/623, A/41/608 and Add.1, A/42/627, A/43/605, A/44/457, A/45/426, A/46/462, A/47/368, A/48/354 and A/49/308).

2. In its resolution 49/164 of 23 December 1994, on the Convention on the Elimination of All Forms of Discrimination against Women, the General Assembly recommended "that the States parties to the Convention, in the light of the reports mentioned in paragraphs 6 and 7 above, review the working situation of the Committee and its capacity to fulfil its mandate more effectively, and in this context also that the States parties consider the possibility of amending article 20 of the Convention so as to allow for sufficient meeting time for the Committee". It also "requested the States parties to the Convention to meet in 1995 in order to consider the review of article 20 of the Convention mentioned in paragraph 8 above". The reports mentioned in the resolution included the report of the Secretary-General on the working methods of the Committee and its capacity to fulfil its mandate 1/ as well as the reports of the Committee on its twelfth 2/ and thirteenth 3/ sessions.

3. In its decision 49/448 on "Consideration of the request for the revision of article 20, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women", the "General Assembly, on the recommendation of the Third Committee, 4/ aware that the Governments of Denmark, Finland, Iceland, Norway and Sweden have made a written request 5/ for the revision of article 20, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women 6/ by replacing the words 'normally meet for a period of not more than two weeks annually in order' by the words 'meet annually for a period necessary', and having noted that article 26 of the Convention stipulates that the General Assembly shall decide upon the steps, if any, to be taken in respect of such a request decided: (a) to request the States parties to the Convention to consider the request for a revision of article 20, paragraph 1, at a meeting to be convened in 1995; and (b) to request the States parties at the meeting to limit the scope of any revision of the Convention to article 20, paragraph 1, thereof".

4. In pursuance of General Assembly decision 49/448, the 8th meeting of State parties took place at United Nations Headquarters in New York on 22 May 1995. On the basis of its discussion the meeting of States parties adopted resolution 8/1 on "Proposed amendment to article 20, paragraph 1, of the Convention on the

Elimination of All Forms of Discrimination against Women". The resolution is contained in annex I to the present report.

II. STATUS OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

5. The Convention was opened for signature in New York on 1 March 1980 and, in accordance with its article 27, entered into force on 3 September 1981.

6. As at 1 August 1995, 143 States had ratified the Convention, of which 49 States had acceded and 5 had succeeded to it. In addition, six States had signed it without yet ratifying it. Since the last progress report (A/49/308), the following States parties have ratified, acceded or succeeded to the Convention: Cameroon, Chad, Comoros, Georgia, Kuwait, Malaysia, Papua New Guinea, Uzbekistan (see annex II, List of States that have signed, ratified or acceded to the Convention as at 1 August 1995).

7. Reservations were made upon ratification to the Convention by Malaysia and Kuwait (see annex III).

8. An objection was received during the period 1 August 1994 to 1 August 1995 from Norway (see annex V).

9. One reformulation of a reservation made upon accession was made by the Libyan Arab Jamahiriya (see annex IV).

10. One withdrawal of a reservation and declaration was received from the United Kingdom of Great Britain and Northern Ireland (see annex VI).

Notes

1/ A/49/308, chap. III.

2/ Official Records of the General Assembly, Forty-eighth Session, Supplement No. 38 (A/48/38).

3/ Ibid., Forty-ninth Session, Supplement No. 38 (A/49/38).

4/ A/49/607, para. 38.

5/ A/C.3/49/26.

6/ General Assembly resolution 34/180, annex.

ANNEX I

Draft resolution 8/1

Proposed amendment to article 20, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women

The States parties to the Convention on the Elimination of All Forms of Discrimination against Women,

Recalling General Assembly resolution 49/164 of 23 December 1994 on the Convention on the Elimination of All Forms of Discrimination against Women,

Noting the proposed revision of article 20, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women by replacing the words "normally meet for a period of not more than two weeks annually in order" by the words "meet annually for a period necessary" put forward by the Governments of Denmark, Finland, Iceland, Norway and Sweden, in accordance with article 26 of the Convention,

Further noting General Assembly decision 49/448 in accordance with article 26 requesting that the current meeting of States parties consider the proposed amendment and to limit the scope of any revision of the Convention to article 20, paragraph 1,

Reiterating the importance of the Convention on the Elimination of All Forms of Discrimination against Women as well as the contribution of the Committee on the Elimination of Discrimination against Women to the United Nations efforts to eliminate discrimination against women,

Noting that the workload of the Committee on the Elimination of Discrimination against Women has increased because of the growing number of States parties of the Convention and that the annual session of the Committee is the shortest of all the annual sessions of the human rights treaty bodies,

Recalling recommendation 22 of the Committee on the Elimination of Discrimination against Women at its fourteenth session on the meeting time of the Committee,

Convinced of the need to adopt measures to enable the Committee, in accordance with its mandate, to consider in a thorough and timely manner the reports submitted by States parties and to discharge all its responsibilities under the Convention,

Also convinced that an adequate amount of time for the meetings of the Committee is a vital factor in ensuring in future years the continued effectiveness of the Committee on the Elimination of Discrimination against Women,

1. Decide to replace article 20, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women with the following

text: "The Committee shall normally meet annually in order to consider the reports submitted in accordance with article 18 of the present Convention. The duration of the meetings of the Committee shall be determined by a meeting of the States parties to the present Convention, subject to the approval of the General Assembly.";

2. Recommend that the General Assembly take note with approval of this amendment at its fiftieth session;

3. Decide that the amendment shall enter into force following consideration by the General Assembly and when it has been accepted by a two-thirds majority of States parties which shall have so notified the Secretary-General as depositary of the Convention.

ANNEX II

List of States that have signed, ratified, acceded or succeeded to the Convention as at 1 August 1995

State	Date of signature	Date of receipt of the instrument of ratification, accession or succession
Afghanistan	14 August 1980	
Albania		11 May 1994 a/
Angola		17 September 1986 a/
Antigua and Barbuda		1 August 1989 a/
Argentina	17 July 1980	15 July 1985 b/
Armenia		13 September 1993 a/
Australia	17 July 1980	28 July 1983 b/
Austria	17 July 1980	31 March 1982 b/
Bahamas		6 October 1993 a/, b/
Bangladesh		6 November 1984 a/, b/
Barbados	24 July 1980	16 October 1980
Belarus	17 July 1980	4 February 1981 c/
Belgium	17 July 1980	10 July 1985 b/
Belize	7 March 1990	16 May 1990
Benin	11 November 1981	12 March 1992
Bhutan	17 July 1980	31 August 1981
Bolivia	30 May 1980	8 June 1990
Bosnia and Herzegovina		1 September 1993 d/
Brazil	31 March 1981 b/	1 February 1984 b/
Bulgaria	17 July 1980	8 February 1982 c/
Burkina Faso		14 October 1987 a/
Burundi	17 July 1980	8 January 1992
Cambodia	17 October 1980	15 October 1992 a/
Cameroon	6 June 1983	23 August 1994 a/
Canada	17 July 1980	10 December 1981 c/
Cape Verde		5 December 1980 a/
Central African Republic		21 June 1991 a/
Chad		9 June 1995 a/

/...

State	Date of signature	Date of receipt of the instrument of ratification, accession or succession
Chile	17 July 1980	7 December 1989 b/
China	17 July 1980 b/	4 November 1980 b/
Colombia	17 July 1980	19 January 1982
Comoros		31 October 1994 a/
Congo	29 July 1980	26 July 1982
Costa Rica	17 July 1980	4 April 1986
Côte d'Ivoire	17 July 1980	
Croatia		9 September 1992 d/
Cuba	6 March 1980	17 July 1980 b/
Cyprus		23 July 1985 a/, b/
Czech Republic e/		22 February 1993 c/, d/
Denmark	17 July 1980	21 April 1983
Dominica	15 September 1980	15 September 1980
Dominican Republic	17 July 1980	2 September 1982
Ecuador	17 July 1980	9 November 1981
Egypt	16 July 1980 b/	18 September 1981 b/
El Salvador	14 November 1980 b/	19 August 1981 b/
Equatorial Guinea		23 October 1984 a/
Estonia		21 October 1991 a/
Ethiopia	8 July 1980	10 December 1981 b/
Finland	17 July 1980	4 September 1986
France	17 July 1980 b/	14 December 1983 b/, c/
Gabon	17 July 1980	21 January 1983
Gambia	29 July 1980	16 April 1993
Georgia		26 October 1994 a/
Germany f/	17 July 1980	10 July 1985 b/
Ghana	17 July 1980	2 January 1986
Greece	2 March 1982	7 June 1983
Grenada	17 July 1980	30 August 1990
Guatemala	8 June 1981	12 August 1982
Guinea	17 July 1980	9 August 1982

State	Date of signature	Date of receipt of the instrument of ratification, accession or succession
Guinea-Bissau	17 July 1980	23 August 1985
Guyana	17 July 1980	17 July 1980
Haiti	17 July 1980	20 July 1981
Honduras	11 June 1980	3 March 1983
Hungary	6 June 1980	22 December 1980 c/
Iceland	24 July 1980	18 June 1985
India	30 July 1980 b/	9 July 1993 b/
Indonesia	29 July 1980	13 September 1984 b/
Iraq		13 August 1986 a/,b/
Ireland		23 December 1985 a/,b/,c/
Israel	17 July 1980	3 October 1991 b/
Italy	17 July 1980 b/	10 June 1985
Jamaica	17 July 1980	19 October 1984 b/
Japan	17 July 1980	25 June 1985
Jordan	3 December 1980 b/	1 July 1992 b/
Kenya		9 March 1984 a/
Kuwait		2 September 1994 a/
Lao People's Democratic Republic	17 July 1980	14 August 1981
Latvia		14 April 1992 a/
Lesotho	17 July 1980	
Liberia		17 July 1984 a/
Libyan Arab Jamahiriya		16 May 1989 a/,b/
Lithuania		18 January 1994 a/
Luxembourg	17 July 1980	2 February 1989 b/
Madagascar	17 July 1980	17 March 1989
Malawi		12 March 1987 a/,c/
Malaysia		5 July 1995 a/
Maldives		1 July 1993 a/,b/
Mali	5 February 1985	10 September 1985
Malta		8 March 1991 a/,b/

State	Date of signature	Date of receipt of the instrument of ratification, accession or succession
Mauritius		9 July 1984 a/,b/
Mexico	17 July 1980 b/	23 March 1981
Mongolia	17 July 1980	20 July 1981 c/
Morocco		21 June 1993 a/,b/
Namibia		23 November 1992 a/
Nepal	5 February 1991	22 April 1991
Netherlands	17 July 1980	23 July 1991 b/
New Zealand	17 July 1980	10 January 1985 b/,c/
Nicaragua	17 July 1980	27 October 1981
Nigeria	23 April 1984	13 June 1985
Norway	17 July 1980	21 May 1981
Panama	26 June 1980	29 October 1981
Papua New Guinea		12 January 1995 a/
Paraguay		6 April 1987 a/
Peru	23 July 1981	13 September 1982
Philippines	15 July 1980	5 August 1981
Poland	29 May 1980	30 July 1980 b/
Portugal	24 April 1980	30 July 1980
Republic of Korea	25 May 1983 b/	27 December 1984 b/,c/
Republic of Moldova		1 July 1994 a/
Romania	4 September 1980 b/	7 January 1982 b/
Russian Federation	17 July 1980	23 January 1981 c/
Rwanda	1 May 1980	2 March 1981
Saint Kitts and Nevis		25 April 1985 a/
Saint Lucia		8 October 1982 a/
Saint Vincent and the Grenadines		4 August 1981 a/
Samoa		25 September 1992 a/
Senegal	29 July 1980	5 February 1985
Seychelles		5 May 1992 a/
Sierra Leone	21 September 1988	11 November 1988

State	Date of signature	Date of receipt of the instrument of ratification, accession or succession
Slovakia e/		28 May 1993 d/
Slovenia		6 July 1992 d/
South Africa	29 January 1993	
Spain	17 July 1980	5 January 1984 b/
Sri Lanka	17 July 1980	5 October 1981
Suriname		1 March 1993 a/
Sweden	7 March 1980	2 July 1980
Switzerland	23 January 1987	
Tajikistan		26 October 1993 a/
Thailand		9 August 1985 a/, b/, c/
The former Yugoslav Republic of Macedonia		18 January 1994 d/
Togo		26 September 1983 a/
Trinidad and Tobago	27 June 1985 b/	12 January 1990 b/
Tunisia	24 July 1980	20 September 1985 b/
Turkey		20 December 1985 a/, b/
Uganda	30 July 1980	22 July 1985
Ukraine	17 July 1980	12 March 1981 c/
United Kingdom of Great Britain and Northern Ireland	22 July 1981	7 April 1986 b/
United Republic of Tanzania	17 July 1980	20 August 1985
United States of America	17 July 1980	
Uruguay	30 March 1981	9 October 1981
Uzbekistan		19 July 1995 a/
Venezuela	17 July 1980	2 May 1983 b/
Viet Nam	29 July 1980	17 February 1982 b/
Yemen g/		30 May 1984 a/, b/
Yugoslavia	17 July 1980	26 February 1982
Zaire	17 July 1980	17 October 1986

State	Date of signature	Date of receipt of the instrument of ratification, accession or succession
Zambia	17 July 1980	21 June 1985
Zimbabwe		13 May 1991 a/

a/ Accession.

b/ Declarations or reservations.

c/ Reservation subsequently withdrawn.

d/ Succession.

e/ Before becoming a separate State on 1 January 1993, the Czech Republic and Slovakia formed part of Czechoslovakia, which State had ratified the Convention on 16 February 1982. The Convention entered into force on 18 March 1982.

f/ With effect from 3 October 1990, the German Democratic Republic (which ratified the Convention on 9 July 1980) and the Federal Republic of Germany (which ratified the Convention on 10 July 1985) united to form one sovereign State, which acts in the United Nations under the designation of "Germany".

g/ On 22 May 1990, Democratic Yemen and Yemen merged to form a single State, which acts in the United Nations under the designation of "Yemen".

ANNEX III

Reservations made upon ratification from 1 August 1994 to 1 August 1995

Reservations made by the Government of Kuwait upon ratification

The Government of Kuwait enters a reservation regarding article 7 (a), inasmuch as the provision contained in that paragraph conflicts with the Kuwaiti Electoral Act, under which the right to be eligible for election and to vote is restricted to males.

The Government of Kuwait reserves its right not to implement the provision contained in article 9, paragraph 2, of the Convention, inasmuch as it runs counter to the Kuwaiti Nationality Act, which stipulates that a child's nationality shall be determined by that of his father.

The Government of the State of Kuwait declares that it does not consider itself bound by the provision contained in article 16 (f) inasmuch as it conflicts with the provisions of the Islamic Shariah, Islam being the official religion of the State.

The Government of Kuwait declares that it is not bound by the provision contained in article 29, paragraph 1.

Reservation made by the Government of Malaysia upon accession

The Government of Malaysia declares that Malaysia's accession is subject to the understanding that the provisions of the Convention do not conflict with the provisions of the Islamic Shariah law and the Federal Constitution of Malaysia. With regards thereto, further, the Government of Malaysia does not consider itself bound by the provisions of articles 2 (f), 5 (a), 7 (b), 9 and 16 of the aforesaid Convention.

In relation to article 11, Malaysia interprets the provisions of this article as a reference to the prohibition of discrimination on the basis of equality between men and women only.

ANNEX IV

[Original: Arabic]

[4 June 1995]

Reformulations of reservations entered upon accession to the Convention from 1 August 1994 to 1 August 1995

Reformulation of reservation made by the Libyan Arab Jamahiriya

I have the honour to inform you that, in response to the request of the Committee on the Elimination of Discrimination against Women, the competent authorities in the Libyan Arab Jamahiriya have reviewed the aforementioned reservation and have reformulated the reservation so that paragraph 3 of the aforementioned instrument of accession of the Libyan Arab Jamahiriya reads as follows:

"The Socialist People's Libyan Arab Jamahiriya has declared its accession to the Convention on the Elimination of All Forms of Discrimination against Women, adopted by the General Assembly of the United Nations on 18 December 1979, with the following reservation:

'1. Article 2 of the Convention shall be implemented with due regard for the peremptory norms of the Islamic Shariah relating to determination of the inheritance portions of the estate of a deceased person, whether female or male.

'2. The implementation of paragraph 16 (c) and (d) of the Convention shall be without prejudice to any of the rights guaranteed to women by the Islamic shariah.'"

I am pleased to convey to you the Libyan Arab Jamahiriya's approval of the new formulation of its reservation to the Convention, which replaces the formulation contained in the instrument of accession.

/...

ANNEX V

[Original: English]

[28 April 1995]

Objections made from 1 August 1994 to 1 August 1995

Objection by the Government of Norway to reservations made by the Government of the State of Kuwait

The Government of Norway has examined the content of the reservations made by Kuwait upon accession which reads as follows: "1. Article 7 (a) - The Government of Kuwait enters a reservation regarding article 7 (a), inasmuch as the provision contained in that paragraph conflicts with the Kuwaitian Electoral Act, under which the right to be eligible for election and to vote is restricted to males. 2. Article 9, paragraph 2 - The Government of Kuwait reserves its right not to implement the provision contained in article 9, paragraph 2, of the Convention, inasmuch as it runs counter to the Kuwait Nationality Act, which stipulates that a child's nationality shall be determined by that of his father. 3. Article 16 (f) - The Government of the State of Kuwait declared that it does not consider itself bound by the provision contained in article 16 (f) inasmuch as it conflicts with the provision of the Islamic Shariah, Islam being the official religion of the State. 4. The Government of Kuwait declares that it is not bound by the provision contained in article 28, paragraph 1."

The Norwegian Government will stress that by acceding to the Convention, a State commits itself to adopt the measures required for the elimination of discrimination, in all its forms and manifestations, against women. A reservation by which a State party limits its responsibilities under the Convention by invoking internal or religious law may create doubts about the commitments of the reserving State to the object and purpose of the Convention. Furthermore, under well established international treaty law, a State may not invoke the provisions of its internal law as justification for its failure to perform a treaty. It is in the common interest of States that treaties to which they have chosen to become parties also are respected, as to their object and purpose, by all parties. For these reasons, the Government of Norway objects to the Kuwaiti reservation.

The Government of Norway does not consider this objection to preclude the entry into force of the above-stated Convention between the Kingdom of Norway and the State of Kuwait.

ANNEX VI

[Original: English]

[4 January 1995]

Withdrawals of reservations and declarations from 1 August 1994 to 1 August 1995

Withdrawal of a reservation and a declaration by the United Kingdom of Great Britain and Northern Ireland

On 4 January 1995, the Government of the United Kingdom of Great Britain and Northern Ireland notified the Secretary-General of its decision to withdraw the reservation with respect to article 13 as well as the following declaration with respect to article 11 which it had made upon ratification of the Convention. The declaration reads as follows:

> "... the United Kingdom declares that, in the event of a conflict between obligations under the present Convention and its obligations under the Convention concerning the Employment of Women on Underground Work in Mines of all kinds (ILO Convention No. 45), the provisions of the last mentioned Convention shall prevail."